IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 17TH AUGUST 2006 / 26TH SRAVANA 1928

Bail Appl..No. 5030 of 2006

CP.15/2006 of J.M.F.C., KAYAMKULAM
CRIME NO.729/2004 OF KAYAMKULAM POLICE STATION

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PETITIONER/ACCUSED

SUBHAGAN @ SUDHAN,
S/O.DIVAKARAN, AGED 48/04, THANDATHUTHARAYIL,
DEVIKULANGARA P/W-IV, PUTHUPPALLY VADAKKUM MURI,
PUTHUPPALLY VILLAGE, KAYAMKULAM, ALLEPPEY DIST.

BY ADV. SRI.R.GOPAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
KAYAMKULAM POLICE STATION.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5030/2006

DATED THIS THE 17TH DAY OF AUGUST, 2006

O R D E R

The petitioner was found in illegal possession of 15 liters of wash and 15 liters of illicit arrack, by the Sub Inspector of Kayamkulam Police Station, who registered crime No.729/2004 under Sections 8(1) & 8(2) and 55(g) of the Abkari Act. The occurrence took place on 11.11.2004. The petitioner was not available for arrest, at the time of seizure. However, he surrendered before the Court below on 25.7.2006. The investigation is complete and the matter is now pending as C.P.No.15/2006.

2. In the above facts situation of the case, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of

the Judicial Magistrate of First Class, Kayamkulam.

(b). The petitioner shall be available before the Court below, on all the posting dates.

(c). The petitioner shall not leave the State of Kerala, till the trial and disposal of the Sessions Case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs